

RESOLUTION NO. CR-21-06
SUPPORTING THE BIG DARBY ACCORD PLAN PRINCIPLES

WHEREAS, the City of Grove City supports the protection and improvement of the Big and Little Darby Creeks and their tributaries so that they continue to be healthy, biologically diverse, and a recreational treasure for current and future generations; and

WHEREAS, since October of 2004, the City of Grove City has been an active participant in intergovernmental cooperation to protect this environmentally sensitive area through the cooperative development of a multi-jurisdictional plan and related preservation and growth strategies which are capable of implementation, oversight and enforcement; and

WHEREAS, the City of Grove City is supportive of the Big Darby Accord Plan Principles dated March 3, 2006 (a copy of which is attached as Exhibit "A" to this resolution) that are to guide the efforts and desires of Accord members in supporting this regional effort, and the City urges each jurisdiction and other stakeholders to likewise support and actively participate in this joint planning process; and.

WHEREAS, the City of Grove City desires to cooperate and support the Big Darby Accord Plan Principles, it makes no commitment adopt, follow or be bound to any recommendations that may be proposed by other Accord members and/or any consultant hired as part of the Big Darby Participation Agreement executed by the Accord members.

WHEREAS, the City of Grove City retains its right to annexation of lands within the Big Darby Creek Watershed as set forth in Ohio law, the Grove City Code, and pursuant to existing written utility agreements with the City of Columbus.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. The City of Grove City does hereby support a comprehensive, intergovernmental planning effort to protect the Big Darby Creek Watershed based upon existing rights of the City of Grove City pursuant to law and based upon the principles set forth in the Big Darby Accord Plan Principles, attached hereto as Exhibit A and incorporated herein.

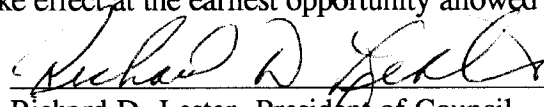
SECTION 2. By way of separate legislation, the City of Grove City pledges to assist funding the technical and planning resources necessary to facilitate this process and seeks full participation from the member jurisdictions in the funding of this effort.

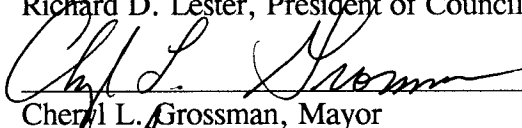
SECTION 3. This resolution shall take effect at the earliest opportunity allowed by law.

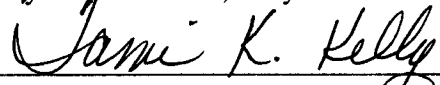
Passed: 04-03-06

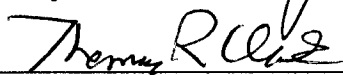
Effective: 04-03-06 Attest:

I Certify that this resolution
is correct as to form.


Richard D. Lester, President of Council


Cheryl L. Grossman, Mayor


Tami K. Kelly, MMC, Clerk of Council


Thomas R. Clark, Director of Law

**CR-21-06
EXHIBIT A**

**Big Darby Accord Plan Principles
March 3, 2006**

Protection of Environmentally Sensitive Areas

The preliminary draft land use plan protects environmentally sensitive areas in a green infrastructure of approximately 20,000 acres. The green infrastructure includes floodplains, wetlands, groundwater and surface flow exchange areas, special habitat areas, wooded areas, and areas with groundwater pollution potential. These elements contribute to the Darby's unique ecosystem and should be protected and preserved according to the mission statement, Accord recommendations, and regulatory requirements, such as OEPA's 208 plan.

A preliminary land use plan that balances environmental protection and responsible growth.

Development is managed and focused in a sustainable town center and a range of conservation-style development patterns, which will create opportunities for open space preservation. The land use pattern offers a mix of uses, maximizes access to infrastructure, and guides development to less sensitive areas. This approach promotes a responsible growth pattern as recommended in the mission statement.

A preliminary land use plan that recognizes existing sewer and wastewater treatment capacities, while taking into account the rights accorded watershed landowners under current zoning.

The plan will work within the limits of existing sewage conveyance system and treatment capacities. At the same time, the plan will recognize zoning and development rights that are currently in place. The plan will identify practical and equitable mechanisms of preserving these rights while striving to protect water quality by focusing density in key locations. Through this approach, the plan will seek a balance on both a regional and project-specific basis where appropriate

Growth areas will be served by adequate public facilities, particularly central sewer.

Central sewer service is planned for identified growth areas including the town center and existing contract service areas pending available capacity. Central sewer service is not planned, or anticipated for, a majority of the study area, including areas associated with lower density conservation development. Non-centralized services would be subject to standards and inspection programs to ensure the systems are functioning properly. Such a program should be consistent with Accord recommendations and regulatory requirements, such as OEPA's 208 plan.

A Development Policy that provides for mechanisms to acquire environmentally sensitive areas.

Development of policies and procedures that link new development to the provision of green space within the environmentally sensitive areas of the land use plan, both regionally and within the same site. These green spaces would provide permanent protection of the environmentally sensitive resources.

A memorandum of understanding (MOU) among Accord members to implement the agreed upon plan.

The MOU represents a commitment to continue to implement the plan and work together to leverage resources. The MOU encourages consistency and compliance across political boundaries. As a primary step in a long-term implementation process, the MOU underscores the importance of adaptive management techniques to monitor plan implementation.

Development without the condition of annexation.

The City of Columbus is offering the limited extension of water and sewer services without the condition of annexation. As part of the Accord process, the City of Columbus is identifying conditions that must be met to qualify for utility extensions into unincorporated areas. This will require consideration of existing utility contracts, design and cost implications, capacity, provision of a full range of housing options, revenue sharing and compliance with Accord provisions.

Mechanisms for cooperative revenue sharing among Accord members.

Through the creation of joint economic development districts (JEDD), cooperative economic development agreements (CEDA), and/or community authorities, Accord members can structure specific agreements to allow revenue sharing across political boundaries as development comes on line. Cooperative agreements and new revenues can be established to help provide community resources and amenities and to initiate joint projects in the study area, including open space. The general criteria may include, among other things, establishing an amount of millage to be collected by a CDA and the manner in which the proceeds would be used.

Water quality, biological integrity, and adaptive management.

This plan relies on the principle of adaptive management, an ongoing process. This includes prediction, monitoring, inspection, enforcement, and ongoing planning to continue to maintain and pursue aggressive OEPA water quality goals that will improve the water quality and biological integrity of the Big Darby Watershed. Pursuit of this objective is balanced with the understanding that the while Accord provisions can apply to the entire Hellbranch watershed, they can only address the Franklin County portion of the overall watershed.